

# Cover-Up Alleged in Bomb Case - Ousted Grand Juror Says Other Suspect Concealed

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The ousted grand juror in the Oklahoma City bombing case said Friday that he has gone public because he suspects that the government is concealing the identify of John Doe No. 2, a mystery suspect in the case.

"Thereweren't just McVeigh and Nichols involved. There's just too much there," Hoppy Heidelberg said Friday. "I just want to know who they are because if we don't get them, there are going to be others."

Federal officials said Friday that Mr. Heidelberg's assertions are based on witness statements that are uncorroborated or have been disproved by other evidence.

In an Oct. 5 letter to U.S. District Judge David Russell, Mr. Heidelberg listed nearly a dozen people and items he said should be explored further in the case.

Many of the witnesses' accounts point to a unidentified companion of Timothy McVeigh, who along with Terry Nichols is charged in the April 19 blast that killed 169 people.

Mr. Heidelberg complaints about the grand jury became public two weeks ago, in an anonymous interview with Media Bypass magazine.

Judge Russell kicked Mr. Heidelberg off the panel Thursday and threatened to hold him in contempt of court for any violations of grand jury secrecy laws.

Federal officials, speaking on the condition that they not be named, accused the banished grand juror of echoing unfounded conspiracy theories offered by defense attorneys and militia groups who allege government involvement in the terrorist attack.

Officials also said agents have not written off the possibility of other conspirators, but the number of leads are shrinking and there is simply not enough evidence to warrant review by a grand jury.

An attorney for Mr. McVeigh, however, said Mr. Heidelberg has exposed real problems with the government's case and the grand jury process.

"His allegations are quite serious and could, if true, undermine the indictments," said Stephen Jones, who challenged the grand jury action based on Mr. Heidelberg's complaints.

Mr. Heidelberg, a member of the grand jury that indicted Mr. McVeigh and Mr. Nichols in August, said he believes that the two men played a role in the attack of the Alfred P. Murrah Federal Building. But he said he is convinced that the government knows more.

"That's my gut feeling," he said. "It's just logic, most of it."

Uncertainty, not conspiracy, usually accounts for the government's choice not to call the witnesses before a grand jury, said U.S. Attorney Paul Coggins in Dallas.

"You have a duty to try to filter out stuff that's false or underdeveloped, otherwise grand juries would never end," said Mr. Coggins, adding that he was not commenting specifically on the Oklahoma case. "A prosecutor's job is to cut off the rabbit trails."

The bombing indictment alleges a conspiracy among Mr. McVeigh, Mr. Nichols and "others unknown to the grand jury."

The "others unknown" language is commonplace in conspiracy charges, Mr. Coggins said. It is designed to leave open the possibility - but not the certainty - of more arrests later, he said.

Mr. Heidelberg said he used news accounts and other sources to compile a roster of suggested witnesses and evidence for a new grand jury. Some of the people haven't testified, but others appeared before the original grand jury. On Mr. Heidelberg's list:

\* Vicki Beemer and Tom Kessinger, employees of the Junction City, Kan., body shop where the Ryder truck used in the blast was rented. Neither Ms. Beemer or Mr. Kessinger would say Friday whether they had spotted John Doe No. 2. But, employees at the body shop were among the sources used by sketch artists to draw the John Doe No. 2 composite that was widely circulated in the days after the bombing.

\* The former manager of the Great Western Inn in Junction City. The current manager of that motel said Friday that she and the previous manager had told the FBI about two men they thought fit the description of John Doe No. 2.

She said the FBI told her they investigated and cleared the two men, and she assumed that's why she wasn't called to testify to the grand jury. The former manager recently moved to Houston without leaving a forwarding address, she said.

\* Hilda Sostre, a former housekeeper at the Dreamland Motel in Junction City, where Mr. McVeigh reportedly stayed in the days before the blast. Ms. Sostre could not be reached Friday, but her daughter, Rosa Sostre, confirmed that her mother had seen a person fitting John Doe No. 2's description entering Mr.

McVeigh's room. Ms. Sostre could not give the FBI a very specific description of the man, her daughter said.

\* Army Private First Class Todd Bunting, who the government said is mistakenly associated with Mr. McVeigh by being pictured in the John Doe No. 2 composite. Pfc. Bunting has said he was in the Ryder rental agency the day before Mr. McVeigh allegedly rented the truck. Mr. Heidelberg called that explanation of John Doe No. 2 "a hoax perpetrated by authorities," adding that Pfc. Bunting does not remotely resemble the composite.

"John Doe 2 is a very unique character," Mr. Heidelberg said. "The features were not even close."

The government has not withdrawn the possibility that another man was with Mr. McVeigh when he rented the Ryder truck suspected of carrying the homemade bomb.

\* Videotapes from surveillance cameras near the federal building. Mr. Heidelberg said a camera from a Southwestern Bell Co. office "reportedly shows John Doe 2 getting out of the Ryder truck before McVeigh drove it to the Murrah building."

A spokesman for Southwestern Bell said Friday the company turned over a surveillance tape shortly after the blast, but the company was not informed of its contents.

The Associated Press reported Friday that a federal law enforcement source said videotape surveillance shows a shadowy figure in the truck shortly before the blast. Other federal officials said they knew of no basis for such a report.

\* Architects, structural engineers and explosive experts selected by the grand jury. Mr. Heidelberg said that request was based on the theory that two blasts, not one, leveled the building. Also on the list is Raymon Brown, a University of Oklahoma seismology professor who has said his calculations could support a two-blast theory. Federal investigators have discounted the idea that there was more than one explosion.

\* Ralph "Rocky" McPeak Jr., a former resident of Kingman, Ariz., where Mr. McVeigh lived in 1994 and this year. Mr. McPeak's house was damaged in a blast that authorities say was not related to Mr. McVeigh. He also told The Los Angeles Times that he spent a lot of time there with Mr. McVeigh in late 1994 and early 1995, and that Mr. McVeigh was selling drugs, including methamphetamine.

\* James Rosencrans, another Kingman resident who briefly testified before the grand jury. He also told reporters of drug use by Mr. McVeigh.

Staff writers David Jackson in Washington and Arnold Hamilton in Oklahoma City contributed to this report.